

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RECEIVED

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PROGRESSIVE AMERICAN)
INSURANCE COMPANY,)
)
Plaintiff,)
)
vs.)
)
CAROL THORN; JOLEEN LEEA)
COLON; DALE EUGENE)
KIRKINDOLL; ELIZABETH S.)
KIRKINDOLL; THOMAS HOLT)
KIRKINDOLL; JAMES W. GRIFFIN)
SANDRA L. GRIFFIN; PATRICK A.)
BELT; CHRISTOPHER B. BELT;)
GENE STEGMAIER; ESTATE OF)
WILLIAM R. KLAUSS, a deceased)
minor; ESTATE OF CHERETY THORN)
a deceased minor; LV STABLER)
MEMORIAL HOSPITAL; DRPT LAKE)
REHABILITATION CENTER BUTLER)
COUNTY EMERGENCY MEDICAL)
SERVICES;)
)
Defendants.)

CIVIL ACTION NUMBER:

2:06cv717-1D

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

TENDER

Comes now the plaintiff, Progressive American Insurance Company ("Progressive"), pursuant to Rule 22 of the Federal Rules of Civil Procedure, and tenders its check in the amount of \$100,000 which represents its liability limits in this case. Progressive requests the court to direct the circuit clerk to place the tendered funds on deposit in an interest-bearing account, pending further orders of this court.

R. Larry Bradford

R. Larry Bradford, Attorney for Plaintiff,
Progressive American Insurance Company
Attorney Bar Code: BRA039

OF COUNSEL:

Bradford & Sears, P.C.
2020 Canyon Road
Birmingham, AL 35216
(205) 871-7733

CERTIFICATE OF SERVICE

I hereby certify that I have this the 3 day of August 2006, served a copy of the foregoing to all attorneys of records by placing a copy of same in the United States mail, postage prepaid, and properly addressed as follows:

Sidney W. Jackson, III. Esq.
Jackson, Foster & Graham
P.O. Box 2225
Mobile, AL 36652

R. Larry Bradford

OF COUNSEL